

ORIGINAL

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETER F. GAITO ARCHITECTURE, LLC d/b/a  
PETER F. GAITO AND ASSOCIATES,

Plaintiff,

— against —

SIMONE DEVELOPMENT CORP., SIMONE  
CHURCH STREET LLC, JOSEPH SIMONE,  
THOMAS METALLO, SACCARDI & SCHIFF,  
INC., TNS DEVELOPMENT GROUP LTD.,  
and SLCE ARCHITECTS, LLP

Defendants.  
-----X

**ORDER AND  
STIPULATION**

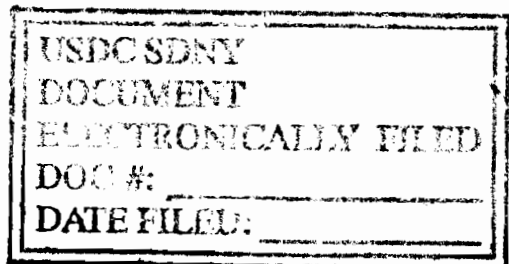
08 Civ. 6056 (WCC)

ECF CASE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned  
counsel, as follows:

1. The law firm of Collier, Halpern, Newberg, Nolletti & Bock, LLP, counsel  
for defendants Simone Development Corp., Simone Church Street LLC, Joseph  
Simone, Thomas Metallo, and TNS Development Group LTD., (hereinafter collectively  
the "Simone Defendants") hereby agrees to accept service of Plaintiff's Summons and  
Complaint on behalf of the Simone Defendants and waives any defenses of personal  
jurisdiction and service of process as regards the Simone Defendants.

2. The Simone Defendants shall serve their answer to the Plaintiff's  
complaint on or before August 22, 2008 or if the Simone Defendants move with respect  
to the Plaintiff's complaint, such other subsequent date as the Court may direct. If the  
Simone Defendants intend to move, they must provide notice to the Plaintiff in writing on



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COPIES MAILED TO COUNSEL OF RECORD *for Simone* AND E-MAILED TO OTHER COUNSEL OF RECORD

*AK*  
~~writing on~~ or before August 22, 2008.

Dated: White Plains, New York  
July 18, 2008

THE SCHER LAW FIRM, LLP  
Attorneys for Plaintiff

By: 

Austin Graft Esq. (AG-0096)  
One Old Country Road, Suite 385  
Carle Place, New York 11514  
(516) 746-5040

COLLIER, HALPERN, NEWBERG,  
NOLLETTI & BOCK, LLP  
Attorneys for Simone Defendants

By: 

Philip M. Halpern, Esq. (PH-2658)  
A Member of the Firm  
One North Lexington Avenue  
White Plains, New York 10601  
(914) 684-6800

SO ORDERED: Dated: White Plains, NY  
July 21, 2008



Hon. William C. Conner, U.S.D.J.

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